

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

MARK VOELKER,

Plaintiff,

vs.

BNSF RAILWAY COMPANY, a
Delaware corporation,

Defendant.

CV 18–172–M–DLC

ORDER

Plaintiff, by and through his attorney William Jungbauer, moves this Court for the admission of David L. Tomenes *pro hac vice* in the above-captioned matter. (Doc. 70.) Mr. Jungbauer represents that he intends to act as local counsel. (*Id.*)

Plaintiff’s motion will be denied, subject to renewal, for failure to comply with the United States District Court for the District of Montana’s Local Rules. Relevant here, Local Rule 83.1(d)(3)(H) requires the applicant’s affidavit or declaration to state “whether the applicant has concurrently or within the two years preceding the date of application made any *pro hac vice* application to this court, the title and the cause number of each matter in which an application was made, the date of application, and whether the application was granted.” Mr. Tomenes’ affidavit fails to comply with this requirement. (Doc. 70-1.)

Accordingly, IT IS ORDERED that Plaintiff's motion for admission *pro hac vice* (Doc. 70) is DENIED subject to renewal.

DATED this 22nd day of September, 2020.



Dana L. Christensen, District Judge
United States District Court